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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/775,721	02/09/2004	William Hewlett	07319-067004	3820
20985	7590	11/29/2005	EXAMINER	
FISH & RICHARDSON, PC			THOMAS, BRANDI N	
P.O. BOX 1022			ART UNIT	
MINNEAPOLIS, MN 55440-1022			PAPER NUMBER	
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DATE MAILED: 11/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	Application No. 10/775,721	Applicant(s) HEWLETT ET AL.	
	Examiner Brandi N. Thomas	Art Unit 2873	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 August 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2-49 is/are pending in the application.  
     4a) Of the above claim(s) 28-39 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12-27 is/are allowed.
- 6) ☒ Claim(s) 2-6, 8-, 9, 41, 42, and 45-49 is/are rejected.
- 7) ☒ Claim(s) 7, 10, 11, 43 and 44 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>2/9/04 and 7/6/04</u> . | 6) <input checked="" type="checkbox"/> Other: <u>Detailed Action</u> .                  |

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election without traverse of claims 2-27 and 41-49 in the reply filed on 8/22/05 is acknowledged.

### ***Examiner's Comments***

2. Claim 2 is generic and claims 8 and 9 link all claims in Group I of the restriction.

### ***Information Disclosure Statement***

3. Acknowledgement is made of receipt of Information Disclosure Statement(s) (PTO-1449) filed 2/9/04 and 7/6/04. An initialed copy is attached to this Office Action.

### ***Claim Objections***

4. Claim 7 is objected to because of the following informalities: Claim 7 depends from claim 1, which has been cancelled. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 2-6, 8, 9, 41, 42, and 45-49 are rejected under 35 U.S.C. 102(b) as being anticipated by Corcoran (4015115).

Regarding claim 2, Corcoran discloses, in figures 1, 2, and 4, a lighting system, comprising: a light source (29), which forms light (col. 5, lines 16-19); an optical train (figure 2), which directs said light along an optical path which includes both in focus and out of focus locations (col. 2, lines 47-50); a first color changing element (6), allowing a color of the light to be changed at a first in focus location along said optical path (col. 3, lines 52-56); and a second color changing element (7) allowing a color of the light to be changed at a first out of focus location along said optical path (col. 3, lines 56-58).

Regarding claim 3, Corcoran discloses, in figures 1, 2, and 4, a lighting system, wherein one of said color changing element (7) as is a rotating RGB color wheel, which rotates in synchronism with a desired light (col. 3, lines 56-58).

Regarding claim 4, Corcoran discloses, in figures 1, 2, and 4, a lighting system, wherein one of said color changing element (6) as is a color cross fader (col. 3, lines 53-54).

Regarding claim 5, Corcoran discloses, in figures 1, 2, and 4, a lighting system, further comprising another color element (18-20), which includes discrete color filters (col. 4, lines 21-24).

Regarding claim 6, Corcoran discloses, in figures 1, 2, and 4, a lighting system, wherein each of said first color changing element (6) and said second color changing element (7) includes clear portions which can be selected to allow light to pass without color is being changed (col. 4, lines 27-32).

Regarding claim 8, Corcoran discloses, in figures 1, 2, and 4, a lighting system, wherein each of said first and second color changing elements (6 and 7) each include controllable motors

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(8 and 10) therein, and further comprising a motor control bus (12) connected to each of said first and second controllable motors (8 and 10) (col. 3, lines 59-67).

Regarding claim 9, Corcoran discloses, in figures 1, 2, and 4, a lighting system, further comprising a controller, enabling control of each of said first and second color changing element (6 and 7) over said motor control bus (12) (col. 3, lines 66-67 and col. 4, lines 1-8).

Regarding claim 41, Corcoran discloses, in figures 1, 2, and 4, a lighting system, comprising: means for forming light along an optical path (col. 5, lines 16-19); a first light modifying means (6) for controlling a first aspect of said light, said first light modifying means (6) including a first motor means (8) for moving a position based on an applied command (col. 3, lines 52-56 and lines 59-67); and a second light modifying means (7) for controlling a second aspect of said light, said second light modifying means (7) including a second motor means (10) for moving a position based on an applied command (col. 3, lines 56-58 and lines 59-67); and a motor control bus means (12) for communicating said applied commands to both of said first and second light modifying means (6 and 7) (col. 3, lines 59-67).

Regarding claim 42, Corcoran discloses, in figures 1, 2, and 4, a lighting system, further comprising controller means for sending said applied commands to aid first and second light modifying means (6 and 7) and for receiving information from said first and second light modifying means (6 and 7) (col. 3, lines 66-67 and col. 4, lines 1-8).

Regarding claim 45, Corcoran discloses, in figures 1, 2, and 4, a lighting system, further comprising a third light modifying means (20), for controlling a third aspect of said light, also connected to said motor control bus (col. 4, lines 21-24).

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Regarding claims 46 and 47, Corcoran discloses, in figures 1, 2, and 4, a lighting system, wherein one of said light modifying means (6 or 7) is an electrically controllable color changer (col. 3, lines 52-65).

Regarding claim 48, Corcoran discloses, in figures 1, 2, and 4, a lighting system, wherein one of said light modifying means (6 or 7) includes means for controlling a location of an output beam (col. 3, lines 52-65).

Regarding claim 49, Corcoran discloses, in figures 1, 2, and 4, a lighting system, further comprising means, along said optical path, for digitally controlling a shape of light which passes (col. 3, lines 52-65).

*Allowable Subject Matter*

7. Claims 12-27 are allowed.

8. Claims 10, 11, 43, and 44 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. The prior art taken either singularly or in combination fails to anticipate or fairly suggest the limitations of the independent claim(s), in such a manner that a rejection under 35 U.S.C. 102 or 103 would be proper. The prior art fails to teach a combination of all the claimed features as presented in claim(s) 10, 11, 12-27, 43, and 44, wherein the claimed invention comprises wherein said controller communicates with said motors, using a command format which includes a command, in a first time slot, followed by data associated with said command, in at least one time slot following said first time slot, and having a specified timing relationship with said first

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time slot and wherein said motor control bus controls said first and second controllable motors using a time division multiplexed communication in which a function is associated with information associated with the function, at a time related to a time of the function, as claimed.

*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandi N. Thomas whose telephone number is 571-272-2341.

The examiner can normally be reached on 7- 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Mack can be reached on 571-272-2333. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BNT

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November 18, 2005

  
RICKY L. MACK  
PRIMARY EXAMINER